Secondly, there are six items in the schedule. The first item is the Parliamentary Secretaries and the sixth item is the Chairman of any Committee appointed by Government. I think the other items may not be necessary at all. The Chairman of any Committee or Director of any Committee appointed by Government may be sufficient. In view of these considerations it is necessary to go through the Bill and recast it. I therefore feel that there is a very strong case for referring the Bill to a Select Committee so that the various factors may be considered in it. In view of the fact that this is a very short Bill and there are not very many matters to be considered, the Select Committee may be instructed to report to the House during the session itself.

**Mr. SPEAKER.**—Amendment moved :

"That the Mysore Legislative Assembly (Prevention of Disqualification) Bill, 1951, be referred to a Select Committee consisting of—

Sri L. Siddappa,
Sri M. Muniswamy,
Sri M. N. Jois,
Sri S. Ranga Rao,
Sri B. Channabyre Gowda,
Sri M. Govinda Reddy, and
The Mover."

with instructions to report during the Session.

**The Hon'ble Sri K. T. BHASHYAM.**—Sir, I accept the amendment.

**Sri B. HUTCHE GOWDA** (Tumkur District-General).—On a point of information, Sir. ಇಲ್ಲಿರುವ ಅನೆಂಬ್ಲಿ ಮೆಂಬರುಗಳ ಪೈಕಿ ಯಾರಾದರೂ ಈ ಡೆಫಿನಿಷನ್ನಿನೊಳಗೆ ಬಂದು ಈ ಪೆಡ್ಯೂಲಿಗೆ ಸೇರುತ್ತಾರೆಯೆ ?

ಅಧ್ಯಕ್ಷರು.—ಆ ವಿಷಯವನ್ನು ಆಗಲೇ ಹೇಳಿದರಲ್ಲಾ. ಪಾರ್ಲಿಮೆಂಟಿನಲ್ಲಿ ಡೆಪ್ಯುಟಿ ಮಿನಿಸ್ಟರ್ ಹುದ್ದೆ ಆಫೀಸ್ ಆಫ್ ಪ್ರಾಫಿಟ್ಟೇ ಅಥವಾ ಇಲ್ಲವೇ ಎಂಬ ವಿಷಯದಲ್ಲಿ ಅನುಮಾನಾಸ್ಪದವಾಗಿ ಆ ಅನುಮಾನ ನಿವೃತ್ತಿಗೊಳಿಸುವುದಕ್ಕಾಗಿ ಎಂದು ಆಗಲೇ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿದ್ದಾರೆ.

**Sri M. N. JOIS** (Mysore District—General).—Th t is exactly a point for consideration and hence the Bill is proposed to be referred to a Select Committee.

**Mr. SPEAKER.**—The question is :

"That the Mysore Legislative Assembly (Prevention of Disqualification) Bill, 1951, be referred to a Select Committee consisting of :—

Sri L. Siddappa,
Sri M. Muniswamy,
Sri M. N. Jois,
Sri S. Ranga Rao,
Sri B. Channabyre Gowda,
Sri M. Govinda Reddy, and
The Mover with instructions to report during the Session."

*The motion was adopted.*

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## The Mysore Civil Courts (Amendment) Bill, 1951.

*Motion to consider.*

**The Hon'ble Sri K. T. BHASHYAM** (Minister for Law and Labour).—Sir, I beg to move :

'That the Mysore Civil Courts (Amendment) Bill, 1951, be taken into consideration."

This may be divided into three parts. One is about the enhancement of the value of the suit for purposes of appeal, and another is about second appeals to High Court and the third portion refers to the holidays for Civil Courts.

So far as the first portion is concerned, at present in suits in which the value of the subject-matter is above Rs. 3,000, we have an appeal direct to the High Court, and below Rs. 3,000 appeal is to the District Judge's Court. We want to make it possible for the District Court to dispose of all appeals where the value is below Rs. 10,000. Therefore we want to step up the figure from Rs. 3,000 to Rs. 10,000 and say that in all suits of the value of Rs. 10,000 and below an appeal shall lie to the District Judge.

Secondly, so far as second appeals are concerned, there are quite a large number of appeals pending before the High Court and it is felt necessary to restrict the power of second appeals being filed. Therefore we are now saying that there shall be no second appeal to the High Court in certain matters, namely, where the value of the suit is Rs. 2,000 and below. In such cases there will be no second appeals at all. Hon'ble Members will remember that now there is no appeal at all against Small Cause Court decisions, sometimes going up to Rs. 500. There is no appeal at all in these cases. Now it would not be a hardship to say that in all suits for money involving less than Rs. 2,000 there shall be no

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second appeals. There will be the original Court which decides the matter. There will be an Appellate Court which decides the matter again and there will always be revisional powers of the High Court. But so far as second appeal is concerned, we want to say that in suits involving money of the value of Rs. 2,000 and less there shall be no second appeal. In suits for possession of house or garden land or unassessed land, we say that if the value of such property be less than Rs. 1,000 there shall be no second appeal. We consider that having regard to the changed circumstances in the country, the value of the property below Rs. 1,000 is not such as could legitimately be a matter for second appeal to the High Court. There is the first appeal and there is the revisional power. Regarding land or ney interest in land other than those specified in clause (ii), namely, garden, house, or unassessed land, that is, in matters regarding land which is assessed at some figure, we say that unless the assessment is more than Rs. 8 there shall be no second appeal. If the assessment on the land is Rs. 8 or less there shall be no second appeal. Ordinarily, now, an acre of wet land is easily saleable for more than Rs. 1,000 and on an assessment Rs. 8. There will be about three or four acres of dry land valued at about Rs. 1,000. Therefore we say that in matters of land which is assessed, the assessment should be more than Rs. 8 if a second appeal should lie to the High Court. That is the second point.

The third point is about holidays. In Madras they give 80 or 90 holidays. Here we fix it at 60 days over all the three vacations—Summer, Dasara and Winter. These three vacations together come to about 60 days and the period will be fixed by the Chief Justice and those holidays will govern all the Civil Courts.

These are the three matters covered by this Bill and I dare say that Hon'ble Members will approve of the general principles of this Bill although on matters of detail, for instance, whether the assessment should be Rs. 8 or 13,—there may be differences which could be adjusted. But on the general principles, I believe, this is acceptable to the Hon'ble Members and I may conclude by stating that a committee named the High Court Arrears Committee was appointed under the Chairmanship of the Hon'ble Mr. Justice Das of the Supreme Court and they made certain suggestions and those suggestions have been gone into by the Law Department of the Government of Mysore. We put up certain proposals and the High Court of Mysore are agreeable to those proposals. It is on the recommendation of the High Court of Mysore that this Bill has been drawn up. I hope the Hon'ble Members will give their wholehearted support to the general principles of the Bill.

**Janab J. MAHMOOD SHARIFF** (Mysore *cum* Mandya *cum* Hassan—Muslim).—Was the Law Association consulted?

**The Hon'ble Sri K. T. BHASHYAM.**—I do not think we consulted the Law Association.

**Mr. SPEAKER.**—Motion moved:

"That the Mysore Civil Courts (Amendment) Bill, 1951, be taken into consideration."

**Sri Kadidal MANJAPPA** (Shimoga District—General).—Sir, I beg to move:

"That the Mysore Civil Courts (Amendment) Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session:

Sri T. Ramachar.
Sri H. Siddaveerappa.
Sri Mali Mariyappa.
Sri H Siddananjappa.
Sri M. C. Venkateshan.
Janab Syed Abdur Rahman.
Sri Kadidal Manjappa.
Janab Mohamed Hanief.
The Hon'ble Minister for Law and Labour (Chairman)."

Sir, this is an important measure which aims at taking away the right of a litigant to appeal to the High Court. So far as clause (2) is concerned we may not have any objection. So far as clause (3) is concerned there is difference of opinion. By this clause a litigant has no opportunity to appeal to the High Court except when the High Court accord their permission to

appeal. As it is an important measure it has got to be referred to a Select Committee and the Select Committee should be given an opportunity of discussing the provisions threadbare. I submit that the amendment moved by me may be accepted by the Hon'ble Minister.

**Mr. SPEAKER.**—Amendment moved :

"That the Mysore Civil Courts (Amendment) Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session:

Sri T. Ramachar.
Sri H. Siddaveerappa.
Sri Mali Mariyappa.
Sri H. Siddananjappa.
Sri M. C. Venkateshan.
Janab Syed Abdur Rahman
Sri Kadidal Manjappa.
Janab Mohamed Hanief.
The Hon'ble Minister for Law and Labour (Chairman)."

**The Hon'ble Sri K. T. BHASHYAM.**—I accept the amendment.

**Mr. SPEAKER.**—The question is:

'That the Mysore Civil Courts (Amendment) Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session :

Sri T. Ramachar.
Sri H. Siddaveerappa.
Sri Mali Mariyappa.
Sri H. Siddananjappa.
Sri M. C. Venkateshan.
Janab Syed Abdur Rahman.
Sri Kadidal Manjappa.
Janab Mohamed Hanief.
The Hon'ble Minister for Law and Labour (Chairman)."

*The motion was adopted.*

**Mr. SPEAKER.**—Next Bill.

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## The Mysore Suits Valuation Bill, 1951.

*Motion to consider.*

**The Hon'ble Sri K. T. BHASHYAM** (Minister for Law and Labour).—Sir, I beg to move:

"That the Mysore Suits Valuation Bill, 1951, be taken into consideration."

Sir, may I straightaway say that this is consequential on the previous Bill the Civil Courts (Amendment) Bill? Hon'ble Members will have no objection to the general principles of this Bill, but since the Civil Courts (Amendment) Bill has been referred to a Select Committee, I suggest that the general principles of this Bill may be accepted.

**Mr. SPEAKER.**—Motion moved :

"That the Mysore Suits Valuation Bill, 1951, be taken into consideration."

**Sri Kadidal MANJAPPA** (Chitaldrug District—General).—Sir, I have a similar amendment and as this is a consequential legislation my amendment may be accepted by the Hon'ble Minister. I beg to move:

"That the Mysore Suits Valuation Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session:

Sri T. Ramachar.
Sri H. Siddaveerappa.
Sri Mali Mariyappa.
Sri H. Siddananjappa.
Sri M. C. Venkateshan.
Janab Syed Abdur Rahman.
Sri Kadidal Manjappa.
Janab Mohamed Hanief.
The Hon'ble Minister for Law and Labour (Chairman)."

**Mr. SPEAKER.**—Amendment moved:

"That the Mysore Suits Valuation Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session :

Sri T. Ramachar
Sri H. Siddaveerappa
Sri Mali Mariyappa
Sri H. Siddananjappa
Sri M. C. Venkateshan
Janab Syed Abdur Rahman
Sri Kadidal Manjappa
Janab Mohamed Hanief
The Hon'ble Minister for Law and Labour (Chairman)."

**The Hon'ble Sri K. T. BHASHYAM.**—I accept the amendment.

**Mr. SPEAKER.**—The question is:

"That the Mysore Suits Valuation Bill, 1951, be referred to a Select Committee consisting of the following members with instructions to report before the close of the session:

Sri T. Ramachar
Sri H. Siddaveerappa
Sri Mali Mariyappa
Sri H. Siddananjappa
Sri M. C. Venkateshan
Janab Syed Abdur Rahman
Sri Kadidal Manjappa
Janab Mohamed Hanief
The Hon'ble Minister for Law and Labour (Chairman)."

*The motion was adopted.*

**Mr. SPEAKER.**—Next Bill.

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